

City of Mississauga Department Comments

Date Finalized: 2023-11-29	File(s): A380.23
To: Committee of Adjustment	Ward: 9
From: Committee of Adjustment Coordinator	Meeting date:2023-12-07 1:00:00 PM

Consolidated Recommendation

The City recommends that the Committee have regard for all comments and evidence provided by the applicant and area residents when assessing if the application, as requested, meets the requirements of Section 45(1) of the Planning Act. The applicant may wish to defer the application to ensure the accuracy of the requested variances and to determine if additional variances are required.

Application Details

The applicant requests the Committee to approve a minor variance to permit an outdoor garden centre proposing an outdoor garden centre accessory to a grocery store whereas By-law 0225-2007, as amended, does not permit an outdoor garden centre in this instance.

Background

Property Address: 2975 Argentia Road

Mississauga Official Plan

Character Area: Meadowvale Business Park Corporate Centre
Designation: Business Employment

Zoning By-law 0225-2007

Zoning: E1-4- Employment

Other Applications: None

Site and Area Context

The subject property is located on the northeast corner of the Winston Churchill Blvd and Argenta Road intersection. The subject unit is within a plaza that contains office, retail and service commercial uses. There is limited vegetation on the property. The immediate area consists of a mix of commercial and employment uses.

The applicant is requesting a variance for an outdoor garden centre accessory to a grocery store.



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to grant relief from the requirements of a municipal zoning by-law. Approval of applications must meet the requirements set out under 45(1) and/or 45(2) (a) or (b) in the *Planning Act*.

Staff comments concerning the application are as follows:

The subject property is located in the Meadowvale Business Park Corporate Centre Character Area and is designated Business Employment in Schedule 10 of the Mississauga Official Plan (MOP). The subject property was subject to an approved official plan amendment application in 2005 under file OZ/OPA 5 39 which converted the Business Employment lands designation to General Commercial. The property falls under exempt site 1 in the Meadowvale Business Park Corporate Centre Character Area, specifically under Section 15.4.4 of the official plan. Section 15.4.4.1.2 states that all forms of general commercial uses will be permitted, except motor vehicle commercial uses, notwithstanding the provisions of the Business Employment designation on this site.

Further, staff note that the proposed grocery store was approved under Site Plan Approval Express file SPAX 23-29 in May 2023. The applicant is proposing an outdoor garden centre

accessory to a grocery store. Under the zoning by-law, this use is permitted as accessory to retail uses in zones C1 to C3. Staff are of the opinion that the proposal is clearly accessory to a permitted retail use on the subject property and does not pose any negative impacts.

Through a detailed review of the application, staff are of the opinion that the application is appropriate to be handled through the minor variance process. Further, the application raises no concerns of a planning nature.

Comments Prepared by: Shivani Chopra, Planner in Training

Appendices

Appendix 1 – Transportation and Works Comments

This department has no objections to the applicant's request.



Comments Prepared by: Tony Iacobucci, Development Engineering Technologist

Appendix 2 – Zoning Comments

We note that a Building Permit is required. In the absence of a Building Permit we are unable to confirm the accuracy of the information provided, or determine whether additional variance(s) may be required. It should be noted that a zoning review has NOT been completed.

The applicant is advised that should they choose to proceed without zoning verification, a full zoning review may result in further variances being required in the future.

Comments Prepared by: Alana Zheng, Planner Zoning Examination

Appendix 3 – Metrolinx

2975 Argentia Road - A380.23

Metrolinx is in receipt of the minor variance application for 2975 Argentia Rd to allow an outdoor garden centre accessory to a grocery store. Metrolinx's comments on the subject application are noted below:

- The subject property is located partially within 300m of the CP Galt Subdivision which carries Metrolinx's Milton GO Train service.

Advisory Comments:

As the requested variance has no implication on Metrolinx property (i.e. Milton Corridor) Metrolinx has no objections to the specified variances should the committee grant approval.

Comments Prepared by: Farah Faroque, Project Analyst

Appendix 4- Region of Peel

Minor Variance: A-23-380M / 2975 Argentia Rd

Development Engineering: Wendy Jawdek (905)-791-7800 x6019

Comments:

- There is a Regional water easement on the subject property. Please be advised that unauthorized encroachments on Regional easements will not be permitted. Certain restrictions apply with respect to Regional easements as per the documents registered on title.

Comments Prepared by: Ayooluwa Ayoola, Junior Planner